

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOSEPH J. KISER,

Defendant.

4:05CR3095

**DETENTION ORDER
AND
ORDER OF TEMPORARY
RELEASE**

The defendant was afforded an opportunity for a hearing, but he agreed to be detained without a hearing. The defendant has therefore failed to meet the burden of showing, by clear and convincing evidence pursuant to 18 U.S.C. § 3143 (a) and Fed. R. Crim. P. Rule 32.1(a)(6) that defendant will appear at court proceedings and will not pose a danger to the safety of any person or the community if released. The Court's findings are based on the allegations within the Petition.

IT IS ORDERED:

- 1) The above-named defendant shall be detained subject to the following order of temporary release from custody;

Defendant shall be released for surgery, with the surgical check-in scheduled to begin at **5:00 a.m.** on **July 1, 2022**, at a Lincoln, Nebraska hospital or medical facility. Defendant is not permitted to go anywhere other than directly from federal custody to that facility, and then returning directly to federal custody.

Transportation will be provided by Defendant's counsel or counsel's office. Defense counsel shall coordinate with the Marshal regarding his transport from and return to custody for the purposes of this temporary release.

While on temporary release, Defendant shall comply with all terms and conditions of supervised release which were imposed at sentencing

- 2) The defendant is committed to the custody of the Attorney General for confinement in a corrections facility; the defendant shall be afforded reasonable opportunity for private consultation with counsel; and on order of a court of the United States, or on request of an attorney for the government, the person in charge of the facility shall deliver the defendant to a United States Marshal for appearance in connection with a court proceeding.

June 29, 2022.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge